

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES M. DEVONE, SR )  
                          )  
                          )  
Plaintiff,            )  
                          )  
                          )  
v.                      ) 1:05CV00206  
                          )  
                          )  
LOUIS S. DEVONE, JR, )  
                          )  
                          )  
Defendant.           )  
                          )  
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JUDGMENT

Tilley, Chief Judge

For the reasons set forth in the contemporaneously filed Memorandum  
Opinion, Defendant's Motion to Dismiss is GRANTED, and this case is DISMISSED.

As a result, Plaintiffs' Motion to Stay Order of the Durham County Superior  
Court [Doc. #7] is DENIED; Plaintiff's Motion for Intervening Attorney to Certify  
Appellate Capabilities [Doc. #10] is rendered MOOT; and Plaintiff's Motion to  
Strike Defendant's Answer/Motion to Dismiss [Doc. #14] is DENIED.

Additionally, Defendant's Motion for Sanctions Pursuant to Rule 11 [Doc.  
#19] is DENIED.

This the day of February 13, 2006.

/s/ N. Carlton Tilley, Jr.  
United States District Judge

